

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

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| STATE OF OKLAHOMA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 05-cv-329-TCK-SAJ |
| |) | |
| TYSON FOODS, INC., et al., |) | |
| |) | |
| Defendants. |) | |

**STATE OF OKLAHOMA'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME
TO COMPLY WITH COURT'S JANUARY 5, 2007 OPINION AND ORDER**

COMES NOW Plaintiff, the State of Oklahoma, ex rel. W.A. Drew Edmondson, in his capacity as Attorney General of the State of Oklahoma, and Oklahoma Secretary of the Environment, C. Miles Tolbert, in his capacity as the Trustee for Natural Resources for the State of Oklahoma under CERCLA (the "State"), and respectfully moves for an order extending the time to comply with the Court's January 5, 2007 Opinion and Order [DKT #1016] ("Opinion and Order"). In support of this motion, the State states as follows:

1. This Court's January 5, 2007 Opinion and Order, consistent with the State's representations at the December 15, 2006 hearing, required the State to turn certain sampling data and related materials to Defendant Cobb-Vantress and Defendant Simmons on February 1, 2007. *See* Opinion and Order, p. 10-11.

2. Today, February 1, 2007, the State is providing to Defendant Cobb-Vantress and Defendant Simmons more than 20,000 pages of materials, a hard drive containing approximately 59 gigabytes of information, and 29 CDs and DVDs of information that are covered by the Opinion and Order.

3. The State has not, however, has not been able to complete its privilege review as to a very small universe of remaining materials -- 1037 pages of field notebooks. Accordingly, the State respectfully requests an Order allowing it until February 8, 2007, to complete its privilege review and turn over these remaining materials.

4. The State has conferred with counsel for Defendant Cobb-Vantress and Defendant Simmons pursuant to LCvR 7.2(g) and is informed that neither Defendant Cobb-Vantress nor Defendant Simmons objects to the requested extension.

5. The State has not previously moved for an extension of time to comply with the requirements of the Opinion and Order. Additionally, the State does not believe that the requested extension will have a material impact on scheduling or any other deadlines in this case.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of February, 2007, I electronically transmitted the attached document to the following:

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I hereby certify that on this 1ST day of February , 2007, I served the foregoing document by U.S. Postal Service on the following:

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